

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

**AGREEMENT BETWEEN THE
DEPARTMENT OF DISABILITIES
AND SPECIAL NEEDS AND THE
DEPARTMENT OF CORRECTIONS**

This Agreement by and between the South Carolina Department of Corrections, an agency of the State of South Carolina, hereinafter referred to as the Department of Corrections, by its duly authorized agent and the SC Department of Disabilities and Special Needs an agency of the State of South Carolina hereinafter referred to as DDSN, is entered into this _____ day of _____, 2001.

WITNESSETH

WHEREAS, The Department of Corrections is charged by law with the responsibility to manage an administer mental health services and special needs care for the inmates within the State of South Carolina; and

WHEREAS, the objective of The Department of Corrections is to provide for the delivery of quality mental health services and special needs care of inmates in accordance with applicable law and;

WHEREAS, The Department of Corrections desires to enter into Agreement with DDSN to promote this objective by obtaining consultative and supportive services in providing acceptable standards of care and necessary services as described below to a specific Department Corrections inmate population identified as individuals with mental retardation and related disabilities.

NOW, THEREFORE, in consideration of the covenants hereinafter made, the parties agree as follows:

ARTICLE I: Department of Corrections DUTIES

1.1 Point of contact

Establish agency Points of Contact to facilitate communication concerning the sharing of information, reports and other parts of this agreement.

1.2 Sharing Information

To facilitate a sharing of information for treatment and discharge planning, South Carolina Department of Corrections shall provide a list of inmates identified as those with mental retardation or related disabilities and services by Department of Corrections programs. The South Carolina Department of Corrections will provide to DDSN information that identifies inmates as mentally retarded or with a related disability (MR/RD). This report will identify each inmate by name, institution, social security number, and release date, and will be provided on a monthly basis. The Department of Corrections will provide information necessary for completion of desired services as outlined in this Agreement.

1.3 Discharge Planning

The Department of Corrections will provide discharge information on inmates with mental retardation or related disabilities who are pending release to society. The information provided will include name, social security number, (if available), date of release, diagnosis, placement plans and recommendations. This information will be provided on a monthly basis for inmate scheduled to end their sentence (not by parole) within six (6) months of release. If these cases are unknown to DDSN (no prior referrals or certification as meeting criteria for an MR diagnosis), then the Department of Corrections will forward the history and pertinent information on client in the form of a discharge summary prior to consultation being scheduled. The Department of Corrections will make a concerted effort to provide this information as soon as possible on all inmates regardless of the type of release from The Department of Corrections custody.

1.4 Consultation Services

The Department of Corrections will request DDSN expertise and consultation on severe and/or unusual cases involving those with mental retardation or related disabilities. The Department of Corrections will provide historical, testing and diagnostic information on cases prior to consultation. Consultation are requested to better ascertain placement, discharge planning or treatment recommendations. In support of this assessment, The Department of Corrections will provide access to treatment facilities, records and guidance on standardized operating procedures.

ARTICLE II: DUTIES OF DDSN

2.1 Point of Contact

Establish Point of Contact to facilitate communication concerning the sharing of information, reports and other parts of this agreement.

2.2 Sharing Information

The South Carolina Department of Disabilities and Special Needs (DDSN) will provide a report to the Department of Correction's Point of Contact with relevant information on the identified inmates with determination of eligibility from past assessments/services and current eligibility status (e.g., if case is active, closed, determined ineligible, or never referred).

2.3 Discharge Planning

DDSN Point of Contact will assist The Department of Corrections in discharge planning by providing the Department of Corrections with possible referrals, assessments, appointments, recommendations or other relevant information on inmates identified by DDSN as eligible for DDSN services. Information should be provided for discharge planning not less than 30 days from inmate's release date.

2.4 Consultation Services

DDSN will provide the Department of Corrections with consultation services on a case by case basis for individuals who meet the criteria for diagnosis of MR with recommendations, eligibility for DDSN services and relevant standards necessary to provide adequate services to specific severe and/or unusual cases.

2.5 Assessment Services

DDSN will assess The Department of Corrections programs (male and female) servicing those inmates with mental retardation or related disabilities on an annual basis and provide an assessment with recommendations on the adequacy and structure of habilitation services as is reflects the best practices in the field of mental retardation. This report should be provided to the Department of Corrections' point of contact.

IN WITNESS WHEREOF the parties have set their hands and seals hereto as of the day and year above written.

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS

DEPARTMENT OF DISABILITIES AND
SPECIAL NEEDS

By: *Gary D. Maynard*
Gary D. Maynard
Director

By: *Stanley J. Butkus*
Stanley J. Butkus, Ph.D.
Director

Date: 10/18/01

Date: Nov. 9, 2001

Attest: _____

Attest: *Joshie Mc Fall*

APPROVED AS TO FORM
South Carolina Department of Corrections
OFFICE OF GENERAL COUNSEL
DATE: *CMR 10/10/01*